GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES- Sri P.Rama Swamy, AAO (Retd) and formerly AAO in the O/o the Commissioner of Tourism, A.P., Hyderabad – Departmental Proceedings under Rule 9 of A.P.Revised Pension Rules,1980- Articles of charges - Issued.

FINANCE (ADMIN.I.VIG) DEPARTMENT

G.O.MS.No. 21 **Dated:28-01-2010.**
Read the following:-

1) G.O.Ms.No.20,Finance (Admin.I.Vig) Department, dated :28-01-10.

ORDER:-

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of Sub rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 for instituting departmental proceedings against Sri P.Rama Swamy, AAO (Retd), and formerly as Assistant Accounts Officer in the O/o the Commissioner of Tourism, A.P., Hyderabad in the reference cited., it is proposed to hold an Inquiry against the said Sri P.Rama Swamy, AAO (Retd), in accordance with the procedure laid down in Rule 20 of A.P.C.S(CC&A) Rules,1991, for his alleged lapses and certain financial irregularities such as, diversion and non-accounting of funds, non-maintenance of cash book and other statutory accounts records, misappropriation, negligence and dereliction to duties during his tenure from 25-2-2004 to 23-1-2007.

2. The substance of imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputations of misconduct or misbehavior in support of the articles of charge is enclosed in Annexure-II. A list of documents by which the article of charge is proposed to be sustained is also enclosed (Annexure-III). He is also furnished herewith copies of documents based on which the charges are proposed to be sustained.

3. Sri P.Rama Swamy, AAO (Retd), is directed to submit his written statement of defence within (10) days of the receipt of this order and also state whether he desires to be heard in person.

4. Sri P.Rama Swamy, AAO (Retd), is informed that an Inquiry will be held only in respect of the articles of charge as are not admitted by him. He should, therefore, specifically admit or deny each article of charge.

(Contd.pg.2)

5. Sri P.Rama Swamy, AAO (Retd), is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the A.P.C.S (CC&A) Rules, 1991 or the orders/directions in pursuance of the said rules, the inquiring authority may held the inquiry against him ex-parte.

6. The receipt of the Government Order may be acknowledged.

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To
Sri P.Rama Swamy, AAO (Retd), O/o the Prohibition and Excise Superintendent, Machilipatnam through the Director of Treasuries and Accounts, A.P., Hyderabad.
Copy to the Director of Treasuries and Accounts, A.P., Hyderabad for necessary action.

::FORWARDED BY ORDER::

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI P.RAMA SWAMY, AAO (RETD) AND FORMERLY ASSISTANT ACCOUNTS OFFICER IN O/o THE COMMISSIONER OF TOURISM, A.P., HYDERABAD.

ARTICLES OF CHARGE 1:

"That the said Sri P.Ramaswamy, Assistant Accounts Officer (Retd.) while working as Assistant Accounts Officer in O/o the Commissioner of Tourism, A.P., Hyderabad during his tenure from 25-2-2004 to 23-1-2007, *as DDO has failed to maintain proper accounts records including the subsidiary registers that he is required to maintain as per SR 3 of TR 10 and Article 5 of AP financial Code Volume-I in respect of his regular drawals as well as those from SB A/c.No.7733 held in the Vijaya Bank, Nampally and thereby exhibited conduct unbecoming of a Government Servant in contravention of Rule 3 of APCS (Conduct) Rules,1964".*

ARTICLE OF CHARGE II:

"That the said Sri P.Ramaswamy, Assistant Accounts Officer (Retd.) while working as Assistant Accounts Officer in O/o the Commissioner of Tourism, A.P., Hyderabad during his tenure from 25-2-2004 to 23-1-2007 *being a joint signatory to the SB A/c No.7733 held in Vijaya Bank, Nampally has facilitated irregular diversion of the Government of India funds meant for the scheme of integrated development of Khammam Tourism circuit and thereby contravened the principles of financial propriety underlined in Art. 3 of APFC Vol.I".*

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

::FORWARDED BY ORDER::

SECTION OFFICER

ANNEXURE- II

STATEMENT OF IMPUTATIONS IN SUPPORT OF THE ARTICLES OF CHARGES AGAINST SRI P.RAMA SWAMY, AAO (RETD), FORMERLY AAO IN O/o THE COMMISSIONER OF TOURISM, A.P., HYDERABAD

The Commissioner of Tourism, AP, Hyderabad in his letter No. 3302/Admn./A1/2007, dated. 25-5-2007 has informed that certain financial and other irregularities such as diversion and non-maintenance of cash book and other statutory account records have taken place during the period of Sri P.Rama Swamy, AAO of that office who worked there from 25-2-2004 to 23-1-2007 and advised the DTA to take appropriate action. There upon the DTA has ordered for inspection of the records of Accounts of the said office. The audit report inter-alia has pointed out certain procedural irregularities in maintenance of account records viz., U.D.Pay register, cash books and other payment records.

The report has pointed out that certain third party payments to be made to various agencies towards hire charges, payments to contract employees, Advt. Expenses etc., were drawn in favour of the DDO instead of the party concerned and the amounts so credited to the DDO Account were not properly disbursed and diverted a part of those amounts to an S.B.Account held in Vijaya Bank, Nampally. In reply to the audit objection the department has informed that the expenditure towards those payments was initially incurred by way of advance payments by drawing the amounts from other scheme funds and it was recouped subsequently by drawing the amounts into the DDO's Account. But there are no proper records in support of these payments.

Ministry of Tourism, Government of India has released an amount of Rs.6,37,98,000/- for implementing the scheme of 'Integrated development of Khammam Tourism Circuit' during 2004. The amount to be released to the District Collector, Khammam for implementing the scheme, was deposited in the Vijaya Bank, Nampally Branch in S.B.A/c No. 7733. The department has released only an amount of Rs. 4,24,99,000/- in (2) installments i.e., 3,18,99,000/- on 1-2-2005 and Rs.1,06,00,000/- on 24-3-2007. Out of the remaining amount, the department has

diverted the amounts to various administrative expenditures of the department in contravention of the principles of financial propriety and incurred various expenditures without appropriate sanctions of the Government. The AAO of that office, who is a drawing and disbursing officer, is the Joint Signatory to the above said joint account, he instead of properly advising the Commissioner of Tourism against diversion of the above said scheme funds to other purposes, himself facilitated the drawal of funds by signing the cheques. He failed to maintain the required subsidiary registers, acquittances and registers of advances for maintaining the advances given to various agencies.

Sri P.Ramaswamy, who worked as AAO during the material period is responsible for the above said irregularities. Thus the charges.

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

::FORWARDED BY ORDER::

SECTION OFFICER

ANNEXURE III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI P.RAMA SWAMY, AAO (RETD), FORMERLY AT O/o THE COMMISSIONERATE OF TOURISM, A.P., HYDERABAD.

1. *Lr.No.3302/Admn.I/A1/2007, dated 25-5-2007 of Commissioner of Tourism, A.P., Hyderabad.*

2. *U.O.Note No.L1/12721/2007-08, dated 3-8-2007 of L Section, O/o DTA., A.P., Hyderabad along with inspection report conducted on the accounts of Commissioner of Tourism, AP, Hyderabad for the years 2005-06 and 2006-07.*

3. *Lr.No.1524/Accts/A1/2007-08, Dated 27.9.2007 of Director of Tourism along with replies to the audit report.*

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

::FORWARDED BY ORDER::

SECTION OFFICER